

0F361 - 08 Franklin County Ohio Clerk of Courts of the Common Pleas- 2020 Dec 31 3:13 PM-20CV008389

IN THE COURT OF COMMON PLEAS,
FRANKLIN COUNTY, OHIO

JENNIFER AUGENSTEIN
733 Pole Lane Rd
Marion, Ohio 43302

Case No.

Plaintiff,

vs.

Judge

HETZELS OVERLAND TRANSPORT,
INC.
c/o Stacey L. Durbin
815 S. Maple Street
Effingham, Illinois 62401

Category C

and

WILLIAM FIGGINS
462 County Road 600 North
Neoga, Illinois 62447

Defendants.

COMPLAINT WITH JURY
DEMAND ENDORSED HEREON

COUNT ONE: NEGLIGENCE

1. Plaintiff Jennifer Augenstein is a natural person residing in Marion, Marion County, Ohio.
2. Defendant Hetzels Overland Transport, Inc, (Defendant Hetzels) is a foreign corporation with a principal place of business in Effingham, Illinois.
3. Defendant William Figgins (Defendant Figgins) is a natural person residing in Neoga, Illinois.
4. On or about January 2, 2019, Defendant Figgins, while in the course of and arising out of his employment with Defendant Hetzels, negligently operated his



vehicle, causing injury to Plaintiff. Specifically, Defendant Figgins failed to yield the right of way at a red light to Plaintiff in violation of Marion City Code 331.18.

5. Defendant Hetzels is the employer of Defendant Figgins, and is directly responsible for his actions and omissions under the doctrine of *respondeat superior*.
6. As a direct and proximate result of said negligence, Plaintiff suffered severe bodily injury, pain and suffering, a permanent and substantial physical deformity, the loss of use of a limb, and the loss of at least one bodily organ system.
7. As a direct and proximate result of said negligence, Plaintiff has incurred medical and hospital bills in the past and will incur further such expenses in the future.
8. As a direct and proximate result of said negligence, Plaintiff has endured mental pain, anguish, and loss of enjoyment of life, and will continue to endure such losses in the future.
9. As a direct and proximate result said negligence, Plaintiff has lost earnings in the past, has incurred lost earning capacity, and will incur further such loss of earnings in the future.

WHEREFORE, Plaintiff demands money damages to which she is entitled against the defendants in excess of \$25,000 each, and for all other relief to which she is entitled in law and equity.

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JURY DEMAND

Plaintiff requests that this case be heard by a jury of eight.

/s/ Curtis M. Fifner
Curtis M. Fifner (0082599)
Attorney for Plaintiff